S T A T E O F N E W Y O R K

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2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sen. ROBACH -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

AN ACT to amend the executive law, in relation to establishing a high-tech employment and training program within the New York state foundation for science, technology and innovation

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Legislative findings and declaration. The legislature hereby finds and declares that an appropriately skilled workforce is necessary to ensure the creation and growth of high technology businesses in New York. The introduction of new technologies in business and industry is an ongoing, dynamic process which necessitates a system of training and education that is responsive to constantly changing skill requirements.

Further, the legislature finds that technology has also changed the manner in which training and education can be provided within a firm. While the use of sophisticated computer based training is not new, the cost of development of such applications results in limited access. Using technology to create a more effective and cost efficient delivery system for training and education services for firms in the state is critical to foster the young, developing high-tech sector in the state of New York.

S 2. The executive law is amended by adding a new section 209-u to read as follows:

S 209-U. HIGH-TECH EMPLOYMENT AND TRAINING PROGRAM. 1. FOR PURPOSES OF THIS SECTION:

(A) "OFFICE" SHALL MEAN THE NEW YORK STATE FOUNDATION FOR SCIENCE, TECHNOLOGY AND INNOVATION.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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(B) "HIGH-TECH INDUSTRY" SHALL MEAN THOSE INDUSTRIES WITH AN ABOVE AVERAGE PERCENTAGE OF SCIENTIFIC, TECHNICAL, AND ENGINEERING PERSONNEL AND THAT ARE INVOLVED IN THE DEVELOPMENT AND MANUFACTURE OF INNOVATIVE AND NON-ROUTINE PRODUCTS SUCH AS RESEARCH AND DEVELOPMENT, PROTOTYPE DEVELOPMENT, AND SMALL-VOLUME PRODUCTION OF NEW AND CHANGING PRODUCTS. THE INDUSTRY IS CHARACTERIZED BY BUSINESSES WHICH ARE DEVELOPING OR OFFERING A TECHNOLOGY-BASED PRODUCT OR SERVICE, AND WHICH ARE ACTIVELY CONDUCTING RESEARCH AND DEVELOPMENT DESIGNED TO DEVELOP OR IMPROVE SUCH PRODUCT OR SERVICE.

(C) "ELIGIBLE ENTITIES" SHALL MEAN PUBLIC AND PRIVATE INSTITUTIONS OF HIGHER EDUCATION INCLUDING THE CITY UNIVERSITY OF NEW YORK AND THE STATE UNIVERSITY OF NEW YORK.

2. THERE IS HEREBY ESTABLISHED WITHIN THE OFFICE A HIGH-TECH TRAINING INITIATIVE (HEREINAFTER REFERRED TO AS "THE PROGRAM") TO PROVIDE FUNDING FOR PROJECTS TO SUPPORT INDUSTRY AND FIRM-SPECIFIC TRAINING FOR BUSINESSES IN HIGH-TECH INDUSTRIES.

3. THE DIRECTOR OF THE OFFICE SHALL:

(A) DEVELOP AN ANNUAL PLAN COMPATIBLE WITH THE OBJECTIVES OF THE STRATEGIC TRAINING ALLIANCE PROGRAM PURSUANT TO SECTION SIXTEEN-J OF THE URBAN DEVELOPMENT CORPORATION ACT FOR THE PURPOSE OF IMPLEMENTING TRAINING INITIATIVES UNDER THE PROGRAM IN COOPERATION WITH REGIONAL AND LOCAL ECONOMIC DEVELOPMENT AGENCIES, CENTERS FOR ADVANCED TECHNOLOGY, THE STATE EDUCATION DEPARTMENT, THE DEPARTMENTS OF LABOR AND ECONOMIC DEVELOPMENT, INSTITUTIONS OF HIGHER EDUCATION INCLUDING THE CITY UNIVERSITY OF NEW YORK AND THE STATE UNIVERSITY OF NEW YORK, AND THE URBAN DEVELOPMENT CORPORATION. THE PLAN SHALL INCLUDE BUT NOT BE LIMITED TO THE FOLLOWING:

(I) A STATEMENT OF PROGRAM GOALS AND OBJECTIVES;

(II) A DESCRIPTION OF THE PROCESS THROUGH WHICH PROJECTS WILL BE IDENTIFIED;

(III) SPECIFICATION OF CRITERIA TO BE USED TO EVALUATE PROJECT APPLICATIONS;

(IV) IDENTIFICATION OF MEASURABLE OUTCOMES SUCH AS THE NUMBER OF INDIVIDUALS TRAINED, JOBS CREATED OR RETAINED, AND OTHER OBJECTIVE ECONOMIC DEVELOPMENT BENEFITS OF THE PROGRAM; AND

(V) SPECIFICATION OF A MATCHING REQUIREMENT, EITHER CASH, IN-KIND, OR BOTH, WHICH SHALL NOT BE LESS THAN HALF THE AMOUNT OF THE GRANT REQUEST.

(B) COORDINATE WITH THE STATE EDUCATION DEPARTMENT, THE DEPARTMENT OF LABOR, THE CITY UNIVERSITY OF NEW YORK, THE STATE UNIVERSITY OF NEW YORK, AND OTHER PRIVATE INSTITUTIONS OF HIGHER EDUCATION AS NEEDED TO CARRY OUT THE PURPOSES OF THIS SECTION; AND

(C) PROMOTE THE AWARENESS OF THE PROGRAM AND OTHER HIGH-TECH INITIATIVES AMONG BUSINESSES, BUSINESS ORGANIZATIONS, AND REGIONAL AND LOCAL ECONOMIC DEVELOPMENT AGENCIES.

4. THE OFFICE SHALL PROVIDE ASSISTANCE TO ELIGIBLE ENTITIES FOR PURPOSES INCLUDING BUT NOT LIMITED TO THE DEVELOPMENT AND IMPLEMENTATION OF:

(A) PROJECTS FOR OCCUPATION SPECIFIC TRAINING AND RETRAINING FOR EMPLOYED OR UNEMPLOYED WORKERS IN SKILLS REPRESENTED IN HIGH-TECH INDUSTRIES;

(B) PROJECTS TO TRAIN EMPLOYEES IN SMALL HIGH-TECH FIRMS USING ALTERNATIVE METHODS OF INSTRUCTION SUCH AS DISTANCE LEARNING;

(C) COMPUTER-BASED TRAINING PROGRAMS USING MULTIMEDIA AND INTERACTIVE PROGRAMMING INCLUDING (I) GRANTS TO INSTITUTIONS OF HIGHER EDUCATION TO DEVELOP AND IMPLEMENT SUCH PROGRAMS; AND (II) FUNDING SUPPORT FOR BUSINESSES TO ACQUIRE ACCESS TO SUCH PROGRAMS;

(D) PROGRAMS OF APPLIED LEARNING AT THE SECONDARY LEVEL OPERATED IN PARTNERSHIP WITH AN INSTITUTION OF HIGHER EDUCATION INCLUDING WORK-PREP ACTIVITY PURSUANT TO SECTION THIRTY-SIX HUNDRED TWO-D OF THE EDUCATION LAW, SCHOOL-TO-WORK, AND OTHER DEMONSTRATION PROGRAMS TO INCREASE THE AWARENESS OF YOUTH OF CAREER OPPORTUNITIES IN SCIENTIFIC AND TECHNOLOGICAL FIELDS; AND

(E) INNOVATIVE PROJECTS TO INCREASE THE QUALITY AND QUANTITY OF GRADUATES FROM POST-SECONDARY PROGRAMS WHO ARE SEEKING EMPLOYMENT IN HIGH TECHNOLOGY INDUSTRIES INCLUDING PROJECTS DIRECTED AT INCREASING ENROLLMENTS AND RETENTION OF MINORITY AND WOMEN STUDENTS INTERESTED IN CAREERS IN HIGH TECHNOLOGY OCCUPATIONAL CLUSTERS.

5. APPLICATIONS FOR ASSISTANCE UNDER THIS SECTION SHALL INCLUDE A DESCRIPTION OF THE PROJECT TO BE FUNDED INCLUDING, AS APPROPRIATE, DETAILED INFORMATION ON:

(A) THE TYPE OF SKILLS TRAINING OR EDUCATIONAL ACTIVITY THAT WILL BE PROVIDED;

(B) THE TECHNOLOGIES TO BE USED TO DELIVER TRAINING;

(C) STRATEGIES TO DISSEMINATE THE TRAINING AND THE TRAINING TECHNOLOGY AMONG FIRMS;

(D) THE ECONOMIC BENEFIT OF THE PROJECT INCLUDING JOB CREATION AND RETENTION;

(E) IDENTIFICATION OF RESOURCES THAT WILL BE USED TO SUPPORT THE PROJECT BEYOND THE PERIOD OF THE INITIAL GRANT; AND

(F) THE AMOUNT OF ANY CASH OR IN-KIND MATCH USED TO SUPPORT THE PROJECT.

6. ALLOWABLE EXPENSES INCLUDE BUT ARE NOT LIMITED TO CURRICULUM DEVELOPMENT, INSTRUCTION, AND COSTS ASSOCIATED WITH THE DEVELOPMENT AND IMPLEMENTATION OF TECHNOLOGIES AND SOFTWARE APPLICATIONS TO IMPROVE THE DELIVERY OF TRAINING TO EMPLOYEES OF SMALL HIGH TECHNOLOGY BUSINESSES AND EDUCATIONAL SERVICES TO STUDENTS WHO MAY SEEK EMPLOYMENT IN HIGH TECHNOLOGY BUSINESSES.

7. ON OR BEFORE OCTOBER FIRST, TWO THOUSAND THIRTEEN AND ON OR BEFORE OCTOBER FIRST EACH YEAR THEREAFTER, THE OFFICE SHALL SUBMIT TO THE GOVERNOR AND THE LEGISLATURE A REPORT REGARDING THE STATUS OF THE PROGRAM. SUCH REPORT SHALL INCLUDE BUT NOT BE LIMITED TO:

(A) A LIST OF CONTRACTS, GRANTS, OR AWARDS ISSUED TO ELIGIBLE ENTITIES AND THE AMOUNT, PURPOSE, AND OBJECTIVE OF EACH CONTRACT, GRANT, OR AWARD;

(B) THE NAMES OF FIRMS SERVED THROUGH THE PROGRAM INCLUDING A DESCRIPTION OF EACH FIRM;

(C) DESCRIPTIONS OF THE CURRICULAR MATERIALS AND TECHNOLOGIES DEVELOPED AND IMPLEMENTED TO SUPPORT TRAINING IN SUCH FIRMS; AND

(D) AN ASSESSMENT OF THE EXTENT TO WHICH THE GOALS AND OBJECTIVES IDENTIFIED IN THE ANNUAL PLAN REQUIRED PURSUANT TO PARAGRAPH (A) OF SUBDIVISION THREE OF THIS SECTION HAVE BEEN REACHED.

S 3. This act shall take effect on the first of September next succeeding the date on which it shall have become a law.